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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63685-2023
Date of decision: 23.01.2024

AKASH AND ANOTHER ...Petitioners

VERSUS

STATE OF HARYANA AND ANOTHER ...Respondents

CORAM: HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. Viresh Dahiya, Advocate for
Mr. Piyush Bansal, Advocate
for the petitioners.

Mr. Vinay Phogat, DAG, Haryana.

Ms. Khushboo, Advocate for
Mr. Himanshu Bansal, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 0410 dated 17.12.2020 under Sections 420 and 447 of Indian Penal Code, 1860 and Sections 10, 3 and 7 of Haryana Development and Regulation of Urban Areas Act, 1975 registered at Police Station Khedki Daula, District Gurugram (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of understanding/settlement affidavit dated 05.12.2023 (Annexure P-2).

Vide order dated 18.12.2023 while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the understanding/settlement affidavit dated 05.12.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Chief Judicial Magistrate, Gurugram and got their statements recorded.

Report dated 08.01.2024 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

I have heard counsel for the parties and gone through the case file.

In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

Resultantly, FIR No. 0410 dated 17.12.2020 under Sections 420 and 447 of Indian Penal Code, 1860 and Sections 10, 3 and 7 of Haryana Development and Regulation of Urban Areas Act, 1975 registered at Police Station Khedki Daula, District Gurugram (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

23.01.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No